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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

February 13, 2001

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW
TW-A325-Lobby
Washington, DC 20554

RE: **Ex Parte Presentation**, *CC Docket 96-98/Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*

Dear Ms. Salas:

On February 13, 2001, the attached letter was provided to Jodie Donovan-May, Attorney Advisor of the Policy and Program Planning Division of the Common Carrier Bureau. Copies were also provided to Dorothy Attwood, Glenn Reynolds and Michelle Carey.

Pursuant to Section 1.1206(a)(1) of the Commission's Rules, an original and one copy of this letter are being submitted to the Office of the Secretary.

Please contact me at (202) 326-8847 should you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "B. J. Benison", written in a cursive style.

Attachment

cc: Dorothy Attwood
Glenn Reynolds
Michelle Carey
Jodie Donovan-May

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**FEDERAL COMMUNICATIONS COMMISSION
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February 13, 2001

Jodie Donovan-May
Policy and Program Planning Division
Common Carrier Bureau
Federal Communications Commission
445 12th Street, SW
TW-A325-Lobby
Washington, DC 20554

RE: **Ex Parte Presentation**, CC Docket 96-98 (*Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*)

Dear Ms. Donovan-May,

The Association for Local Telecommunications Services (ALTS) filed an ex parte letter on December 22, 2000 (ALTS letter) that raised several concerns regarding the process for conversion of special access circuits to unbundled network elements. Specifically, the ALTS letter argued that SBC's process fails to meet the standard established in the Commission's Supplemental Order, and increases the possibility of a disconnection during the conversion process. ALTS also argues that CLEC's should be absolved of their tariff obligation to pay termination charges when special access circuits are converted to UNE's.

SBC is firm in its belief that the established process is in full compliance with the Commission's regulations; however, SBC modified this process in an effort to accommodate the concerns expressed by the CLEC industry. As explained in its Accessible Letter (see attached), SBC has implemented a streamlined process for these conversions. This process, like its predecessor, is carefully managed to prevent the loss of service by the customer. This process was available in all Southwestern Bell areas as of February 1, 2001 and will be implemented throughout the remaining SBC regions as of March 1, 2001. CLEC's can find additional information concerning SBC's procedures on its CLEC Online website at <https://clec.sbc.com/>.

As to ALTS expressed desire to limit the obligation of CLECs to pay termination charges when converting these circuits, these charges are designed to make ILECs whole when the use of discounted services are terminated prematurely. The CLECs knew of the termination liability when they subscribed to these services and received the benefit of a considerably lower rate than they would have on a month to month program. The Commission has only, rarely abrogated conflicts through "fresh look" requirements. In those rare situations, the Commission acted to open markets that previously had been

closed to competition¹. No such circumstance exists here. There is no reason to absolve CLECs of obligations they willingly undertook in order to receive the benefit of a discounted rate.

If you have any questions regarding this matter, or desire any further information, please call me at (202) 326-8847.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Q. B.", with a stylized flourish at the end.

Attachment

¹ For example, when 800 numbers became portable, the Commission allowed customers a limited period of time to terminate their contracts for 800 service with AT&T.

“(ORDERING AND PROVISIONING) Revision of the Ordering Process for Special Access to Unbundled Network Element Conversions – Arkansas, Kansas, Missouri, Oklahoma, Texas”

Date: February 1, 2001

Number: **CLEC01-021**

Contact: Account Manager

Category: UNE

The purpose of this Accessible Letter is to inform you of the updated ordering process for *Special Access to Unbundled Network Element Conversions*. Effective February 1, 2001, Southwestern Bell Telephone Company (SWBT) will implement a new process. On March 1, 2001, the remaining SBC states will follow suit.

The detailed outline of the entire procedure may be found on CLEC Online (<https://clec.sbc.com/>) in the CLEC Handbook, under the document of “Reconfiguring Special Access Service Arrangements to Combinations of Unbundled Network Elements (UNEs). Please review the Ordering Requirements. An overview of the updated process is set forth below:

- To initiate the conversion process, a Telecommunications Carrier (TC)/Competitive Local Exchange Carrier (CLEC) must send the Account Manager a correctly completed certification letter that lists each circuit to be converted and the option from the FCC’s *Supplemental Order Clarification* under which each circuit qualifies.
- SBC will handle all reconfigurations of Special Access arrangements to UNEs as projects. Critical dates and due dates for all projects will be negotiated.
- After the due dates are established the TC/CLEC must issue a Local Service Request (LSR) to the Local Service Center (LSC or an Access Service Request (ASR) for a Multiplexed DS1/DS3. The TC/CLEC must:
 - Include the Special Access Circuit(s) to be converted in the Remarks Section of the LSR
 - Include RPON of Multiplexed DS1/DS3 in the Remarks Section
 - Include Project Name – AC2U
 - In the **SWBT Region ONLY**, populate the CHC and DFDT on the LSR

The above overview is just a brief description of the revisions made to the original ordering process that was posted on CLEC Online. LSR and ASR examples will be posted for further clarification as well.

Because of the additional manual work required under the new process, SBC will implement a standard FCC tariff Special Access service order charge (rate will vary per region) that will be added to the non-recurring and recurring charges for the UNE Loop and UDT combination.

Please forward questions to your SBC Account Management representative.